

REMARKS

The Office Action of January 29, 2002 presents the examination of claims 1-3, 10, and 13. Claims 4-9 and 11-12 are withdrawn from consideration. Claims 1-3, 10, and 13 are amended. No new matter is inserted into the application.

Informalities

The Examiner states that the first paragraph of the specification must be amended to reference WO 99/38967. Applicants amend the specification in accordance with the Examiner's remarks.

The Examiner states that the specification does not contain an abstract as required by 37 C.F.R. § 1.72(b). In response to the Examiner's remarks, Applicants amend the specification to include an abstract, which is attached hereto on a separate page.

The Examiner states that corrected drawings will be required in the event there are allowable claims. Applicants make note of the Examiner's remarks, and will present corrected drawings accordingly.

The Examiner states that the present application is not in compliance with the sequence rules (37 C.F.R. §§ 1.821-1.825) for lacking sequence identifier numbers in the claims. In response to

the Examiner's remarks, Applicants amend the claims to refer to sequences by their unique SEQ ID NOS.

Applicants respectfully submit that the above remarks and/or amendments fully answer and overcome the informalities brought up by the Examiner. The Examiner is respectfully requested to acknowledge the same.

Claim Objections

The Examiner objects to claims 1 and 2 for allegedly encompassing non-elected inventions. In response to the Examiner's remarks, Applicants amend claims 1 and 2 so that the claims only read upon the elected invention of Group I, i.e. polypeptides of the formula $LS_{MSP}-HL_{MSP}-K1_{MSP}-K2_{MSP}-L-HL_{HGF}-K1_{HGF}-K2_{HGF}-D$. Thus, the instant objection is overcome.

Rejection under 35 U.S.C. § 112, first paragraph

The Examiner rejects claims 1 and 2 under 35 U.S.C. § 112, first paragraph for an alleged lack of enablement by the specification. Applicants respectfully traverse. Reconsideration of the claims and withdrawal of the instant rejection are respectfully requested.

Specifically, the Examiner asserts that the specification is enabling for the *Metron* peptide as recited in claim 3, but does not enable any and all variants of the *Metron* peptide, wherein m, n, o, and p are 0 or 1. In response to the Examiner's remarks, Applicants amend claim 1 to recite only m and n, since o and p, which are associated with K3 and K4, respectively, are not encompassed by the elected invention of Group I. Thus, the instant rejection is overcome.

Rejection under 35 U.S.C. § 112, second paragraph

The Examiner rejects claims 1, 2, 3, 10, and 13 under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. Applicants respectfully traverse. Reconsideration of the claims and withdrawal of the instant rejection are respectfully requested.

Claim 1

The Examiner rejects claim 1 for referring to a sequence in a Figure. In response to the Examiner's remarks, Applicants amend claim 1 to refer to sequences by their unique SEQ ID NOs, as suggested by the Examiner. Thus the instant rejection is overcome.

Claims 1-3, 10, and 13

The Examiner rejects claims 1-3, 10, and 13 for being directed to plural "recombinant proteins." In response to the Examiner's remarks, Applicants amend the claims to recite a singular "recombinant protein" as suggested by the Examiner. Thus the instant rejection is overcome.

Conclusion

Applicants respectfully submit that the above remarks and/or amendments fully address and overcome the rejections and objections of record, such that the instant claims are now in condition for allowance. Early and favorable action by the Examiner is therefore respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kristi L. Rupert, Ph.D. (Reg. No. 45,702) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of three (3) months

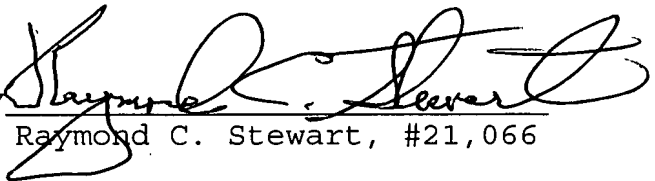
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to July 29, 2002, in which to file a reply to the Office Action.
The required fee of \$460.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17, particularly extension of time fees.

Respectfully submitted,

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RCS/KLR

Attachments: Version with Markings to Show Changes Made
Abstract